

9-212B. Juvenile traffic bench warrant.

*[For use with Magistrate Court Rule 6-207 NMRA,
Metropolitan Court Rule 7-207 NMRA and
Municipal Court Rule 8-206 NMRA]*

STATE OF NEW MEXICO
[COUNTY OF _____]
[CITY OF _____]
IN THE _____ COURT

[STATE OF NEW MEXICO]
[CITY OF _____]

v.

No. _____

_____, Defendant

DOB: _____

Address: _____

S.S.# _____

JUVENILE TRAFFIC BENCH WARRANT¹

(check applicable box)

☐ **RESTRICTION ON WARRANT.² The defendant is a juvenile. Arrest the defendant only during court hours after confirming a judge is available for immediate appearance. Do not incarcerate this defendant.**

☐ **UNRESTRICTED WARRANT.³ A children's court judge has approved the arrest and incarceration of this juvenile.**

THE (STATE OF NEW MEXICO) (MUNICIPALITY OF _____)

TO ANY OFFICER AUTHORIZED TO EXECUTE THIS WARRANT:

YOU ARE COMMANDED to arrest the above-named defendant and bring the defendant before this court to answer the following charges checked below unless released as indicated in the return:

(check applicable box and describe facts below)

- ☐ failure to appear as ordered by this court on _____;
- ☐ failure to appear as required by a subpoena issued by this court for _____
_____;
- ☐ failure to appear in accordance with the conditions of release imposed by this court for _____
_____;
- ☐ conditions of release previously imposed should be revoked or reviewed;
- ☐ contempt of court for _____
_____;
- ☐ failure to pay fines or costs previously imposed by order entered _____
_____ (date);
- ☐ failure to comply with conditions of probation as set forth in an order entered _____
_____ (date);
- ☐ failure to appear at first offender program on _____;
- ☐ other _____.

(set forth any additional essential facts underlying issuance of this warrant.)

(check and complete, if applicable)

☐ The defendant failed to appear either on a traffic citation (*other than a citation issued for a violation listed in Section 66-8-122 or 66-8-125 NMSA 1978*) or a citation issued by an official authorized by law and may be released on a plea of guilty and payment of \$_____ plus a \$100 bench warrant fee⁴;

OR

☐ The defendant failed to pay fines and costs and defendant may be released upon payment of the outstanding fine and court costs in the amount of \$_____ plus a \$100 bench warrant fee⁴;

OR

☐ The defendant may be released on bond in the amount of \$_____. The bench warrant fee will be collected upon appearance.

THIS WARRANT MAY BE EXECUTED:

- ☐ in any jurisdiction;
- ☐ anywhere in this state;
- ☐ anywhere in this county;
- ☐ anywhere in this city.

The clerk of this court shall cause this warrant to be entered into a law enforcement information system⁵:

☐ maintained by the state police.

☐ _____ (*identify other law enforcement information system*).

Date

Judge

RETURN

The defendant was arrested and taken into custody on the ____ day of _____,
_____.

☐ The defendant was released on bond in the amount set forth above;

☐ The defendant was released upon receipt of the fine and court costs set forth above.

I have caused this warrant to be removed from the law enforcement information system identified in this warrant.

Signature

Title

USE NOTES

1. This form may be used in municipal, magistrate or metropolitan court traffic cases.
2. Check this alternative unless a children's court judge has authorized the incarceration of the juvenile. *See* Section 32A-2-29 NMSA 1978 for the procedure to be followed when a child is to be incarcerated.
3. Check this alternative if a children's court judge has authorized that the juvenile be arrested and incarcerated pursuant to Section 32A-2-29 NMSA 1978.
4. A \$100 bench warrant fee is assessed in the metropolitan court pursuant to Section 34-8A-12 NMSA 1978 and in the magistrate court pursuant to Section 35-6-5 NMSA 1978.
5. All metropolitan court and magistrate court felony, misdemeanor and driving while under the influence of intoxicating liquor or drugs warrants must be entered into a law enforcement information system.

[Approved, effective March 1, 2000.]